

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OHIO
EASTERN DIVISION**

AMERICAN CONSOLIDATED)	
INDUSTRIES, INC., <i>et al.</i> ,)	Case No. 1:19-cv-137
)	
Plaintiffs,)	Judge J. Philip Calabrese
)	
v.)	Magistrate Judge Thomas M. Parker
)	
CHAD BLASINGIM, <i>et al.</i> ,)	
)	
Defendants.)	
)	
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MONARCH STEEL COMPANY,)	
INC.,)	Case No. 5:17-cv-2253
)	
Plaintiff,)	Judge J. Philip Calabrese
)	
v.)	
)	
JAMES MCCracken, <i>et al.</i> ,)	
)	
Defendants.)	
)	

ORDER

On May 11, 2024, the Special Master recommended that the Court accept the proposed redactions to Defendants’ motion for summary judgment, which the Special Master attached under seal. Further, the Special Master recommends that the exhibits filed with Defendants’ motion, which were previously granted provisional sealing, remain sealed for an additional ten days while parties continue to discuss redactions. For the following reasons, the Court **ADOPTS** the Special Masters’ recommendations, **ORDERS** Defendants to file the redacted version of the motion

for summary judgment on the docket, and **ORDERS** the exhibits to remain sealed for ten additional days from the date of this Order.

When acting on a special master's order, the Court "may adopt or affirm, modify, wholly or partly reject or reverse, or resubmit to the master with instructions." Fed. R. Civ. P. 53(f)(1). In this respect, the ultimate decision rests with the Court and must be its own. *See Quantum Sail Design Grp., LLC v. Jannie Reuvers Sails, Ltd.*, 827 F. App'x 485, 491 (6th Cir. 2020).

Previously, the Court adopted the Special Master's recommendation to seal provisionally the motions for ten days, pending review of redactions. (*Blasingim*, ECF Nos. 263 & 264; *McCracken*, ECF Nos. 131 & 132.) Thereafter, Defendants filed a motion for summary judgment under seal. (*Blasingim*, ECF No. 279, *McCracken*, ECF No. 133.) Within the ten-day period, Defendants submitted proposed redactions to the Special Master, who filed the proposal under seal together with his recommendation that the redacted version be approved and filed on the public docket. (*Blasingim*, ECF Nos. 281 & 282.) The Court has reviewed the proposed redactions and the Special Master's report and recommendation, in which the Special Master balances the competing interests and finds that the public's interest in viewing this information is outweighed by protecting certain sensitive information contained in the proposed redactions. Defendants redact sparingly and limit the redactions to information that is reasonably considered confidential, such as customer names, contract terms, bids, and pricing formulas. Accordingly, the Court approves the proposed redactions.

Several exhibits accompanying the motion for summary judgment were also filed under seal. (*Blasingim*, ECF Nos. 265–279.) Defendants seek an additional ten days to continue discussions between the parties about the best method to protect the sensitive information contained within those exhibits. (*Blasingim*, ECF No. 281, PageID #14799.) The Special Master recommends approving this extension. (*Id.*) For the reasons previously discussed in the Court’s initial order granting the provisional seal for those exhibits and motions (*Blasingim*, ECF No. 264, PageID #11593; *McCracken*, ECF No. 132, PageID #5372), the Court finds that a ten-day extension is merited and appropriate under *Shane Group Inc. v. Blue Cross Blue Shield*, 825 F.3d 299 (6th Cir. 2016).

Therefore, the Court adopts the sealing recommendation outlined in the Special Master’s report and recommendation (*Blasingim*, ECF No. 281, PageID #14802) and orders the exhibits accompanying Defendants’ motion (*Blasingim*, ECF Nos. 265–79) to remain sealed for an additional ten days from the date of this Order. Unless redacted versions are filed in their place or the Court grants another extension, the Court will automatically lift the seal in ten (10) calendar days.

CONCLUSION

For the foregoing reasons, the Court **ADOPTS** the Special Master’s recommendations, **ORDERS** Defendants to file the unsealed, redacted version of the motion for summary judgment on the docket, and **ORDERS** the exhibits to remain sealed for an additional ten (10) calendar days from this Order.

SO ORDERED.

Dated: May 17, 2024

A handwritten signature in black ink, appearing to read 'J. Philip Calabrese', with a long horizontal flourish extending to the right.

J. Philip Calabrese
United States District Judge
Northern District of Ohio